

**IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE: BEXTRA AND CELEBREX
MARKETING AND SALES PRACTICES
AND PRODUCT LIABILITY LITIGATION

MDL Docket No. 1699

Judge Charles R. Breyer

JULIA MERRILL et al.,

Plaintiff,

STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL
WITHOUT PREJUDICE

v.

CASE NO. 3:07-cv-02217-CRB

PFIZER, INC., et al.,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between counsels for the Plaintiff and counsel for the Defendants that the Complaint of Plaintiff **Julia Merrill** is hereby dismissed without prejudice.

1. Plaintiff is Thomas P. Landry; defendants are Pfizer, Inc., Pharmacia Corporation, Monsanto Company, and G.D. Searle L.L.C.;
2. On January 29, 2007, Plaintiff sued Defendants;
3. Plaintiff moves to dismiss her claims against Defendants;
4. This case is not a class action;
5. A receiver has not been appointed to this action;
6. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.

7. Should Plaintiff or a representative of Plaintiff attempt to re-file her claims against Defendants, she shall do so only by filing said claims in Federal Court.

Respectfully submitted:

Dated: 7/27/07

By: [Signature]
Gerald B. Taylor, Jr. (AL State Bar No. TAY026)
Email: jerry.taylor@beasleyallen.com
Navan Ward, Jr. (AL State Bar No. WAR062)
Email: navan.ward@beasleyallen.com
Andy D. Birchfield, Jr. (AL State Bar No. BIR006)
Email: andy.birchfield@beasleyallen.com
BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.
Post Office Box 4160
Montgomery, Alabama 36103-4160
(334) 269-2343 telephone
(334) 954-7555 facsimile

Attorneys for Plaintiff Julia Merrill

GORDON & REES

Dated: 7-29-07

By: [Signature]
Stuart M. Gordon, Esq.
Embarcadero Center West
205 Battery Street 20th Floor
San Francisco, CA 94111
(415) 986-5900 (Tel.)
(415) 986-8054 (Fax)

Defendant's Liaison Counsel

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: Aug. 3, 2007

Honorable Charles R. Breyer
United States District Court

